IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

WP(C).No. 35420 of 2003(N)

PETITIONER:

SKARIAH CHERIAN, MALAYAMATTATHIL
PAMPADY P.O., KOTTAYAM.

BY ADV. SRI.TOMY P.T.

RESPONDENT:

STATE OF KERALA REPRESENTED BY
DISTRICT COLLECTOR, KOTTAYAM.

BY GOVERNMENT PLEADER SRI. BASANT BALAJI.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.35420/2003:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE JUDGMENT IN LAA NO. 207/86 PASSED BY THIS HON'BLE COURT DT. 06/06/95.

EXT.P.2: COPY OF THE DECREE IN LAA NO. 207/86 DT. 06/06/95.

EXT.P.3: COPY OF THE EXECUTION PETITION, E.P. NO. 240/99 DTD. 16/07/99.

EXT.P.4: COPY OF THE OBJECTION FILED BY GOVT. PLEADER IN E.P. NO. 240/99 DD. 19/06/2003.

EXT.P.5: COPY OF THE ORDER PASSED BY THE SUB COURT IN E.P. NO. 240/99 DTD. 25/06/03.

EXT.P.6: COPY OF THE MEMORANDUM OF APPEAL IN LAA 207/86 DTD. 22/03/86.

//TRUE COPY//

prv.

KURIAN JOSEPH, J.

W.P.(C) No.35420 of 2003

Dated 16th March, 2007.

J U D G M E N T

Petitioner is aggrieved by Ext.P5 order passed in E.P.240/99 in L.A.R.168/83 on the file of the Additional Sub Court, Kottayam, whereby the petitioner has been directed to file a revised statement. It is submitted that the petitioner has submitted a statement before this Court along with I.A.1830/04. Since the date of Section 4(1) notification is 30.10.1979, the entitlement of the petitioner for 12% interest is only from 30.10.1979. With such a modification in the statement filed along with I.A.1830/04, the petitioner may file a revised statement before the execution court within a period of one month from today and thereafter, the execution court will pass appropriate orders in the matter within another three months. The parties will appear before the execution court on 28..5..2007.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

O.P.No. of 2002

J U D G M E N T

Dated 16th March, 2007.